

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0253

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JOSHUA HAWKEYE LEWIS,

Defendant and Appellant.

FILED

FEB 16 2010

*Ed Smith*CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

The Appellee, State of Montana, respectfully requests a 30-day extension of time until March 18, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on February 16, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 16th day of February, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: _____

MICHEAL S. WELLENSTEIN
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to be mailed, first class postage prepaid, to:

Mr. Chris Christensen
Madison County Attorney
P.O. Box 73
Virginia City, MT 59755-0073

Ms. Taryn Stampfl Hart
Assistant Appellate Defender
(Hand-delivered into the wire basket located in the
reception area in the Attorney General's Office,
215 North Sanders, Helena, MT 59620.)

DATED: _____